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8 **BEFORE THE**  
9 **DIVISION OF MEDICAL QUALITY**  
10 **MEDICAL BOARD OF CALIFORNIA**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 02-2001-119417

14 **DENNIS JAY TISON, M.D.,**

15 Respondent.

16 **DEFAULT DECISION**  
17 **AND ORDER**

[Gov. Code, §11520]

18 **FINDINGS OF FACT**

19 1. On or about September 12, 2002, Complainant Ron Joseph, in his official  
20 capacity as the Executive Director of the Medical Board of California, Department of Consumer  
21 Affairs, filed Accusation No. 02-2001-119417 against Dennis Jay Tison, M.D. (Respondent)  
22 before the Division of Medical Quality.

23 2. On or about August 3, 1994, the Medical Board of California (Division)  
24 issued Physician's and Surgeon's Certificate No. G-79603 to Respondent. Said license was  
25 suspended automatically by operation of law effective July 10, 2002. Said Certificate expired on  
26 July 31, 2002 and has not been renewed.

27 3. On or about September 12, 2002, Teresa Schaeffer, an employee of the  
28 Complainant Agency, served by Certified Mail a copy of the Accusation No. 02-2001-119417,  
Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code

1 sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Division,  
2 which was and is 87 Scripps Drive, Suite 308, Sacramento, California 95825. In addition, Teresa  
3 Schaeffer served by Certified Mail on December 13, 2002, a copy of the Accusation No. 02-  
4 2001-119417, Statement to Respondent, Notice of Defense, Request for Discovery, and  
5 Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent at Duell Vocational  
6 Institution, P.O. Box 600, Tracy, California 95376, the facility where Respondent is incarcerated.  
7 A copy of the Accusation, the related documents, and Declarations of Service are attached as  
8 exhibit A, and are incorporated herein by reference.

9           4.       Service of the Accusation was effective as a matter of law under the  
10 provisions of Government Code section 11505, subdivision (c).

11           5.       Government Code section 11506 states, in pertinent part:

12                   "(c) The respondent shall be entitled to a hearing on the merits if the  
13 respondent files a notice of defense, and the notice shall be deemed a specific denial of all parts  
14 of the accusation not expressly admitted. Failure to file a notice of defense shall constitute a  
15 waiver of respondent's right to a hearing, but the agency in its discretion may nevertheless grant a  
16 hearing."

17           6.       Respondent failed to file a Notice of Defense within 15 days after service  
18 upon him of the Accusation, and therefore waived his right to a hearing on the merits of  
19 Accusation No. 02-2001-119417.

20           7.       California Government Code section 11520 states, in pertinent part:

21                   "(a) If the respondent either fails to file a notice of defense or to appear at  
22 the hearing, the agency may take action based upon the respondent's express admissions  
23 or upon other evidence and affidavits may be used as evidence without any notice to  
24 respondent."

25           8.       Pursuant to its authority under Government Code section 11520, the  
26 Division finds Respondent is in default. The Division will take action without further hearing  
27 and, based on Respondent's express admissions by way of default and the evidence before it,  
28 contained in exhibit A finds that the allegations in Accusation No. 02-2001-119417 are true.

1 DETERMINATION OF ISSUES

2 1. Based on the foregoing findings of fact, Respondent Dennis Jay Tison,  
3 M.D. has subjected his Physician's and Surgeon's Certificate No. G-79603 to discipline.

4 2. A copy of the Accusation and the related documents and Declarations of  
5 Service are attached.

6 3. The agency has jurisdiction to adjudicate this case by default.

7 4. The Division of Medical Quality is authorized to revoke Respondent's  
8 Physician's and Surgeon's Certificate based upon the following violations alleged in the  
9 Accusation:

10 a. Business and Professions Code section 2234(e);

11 b. Business and Professions Code section 2236;

12 c. Business and Professions Code section 2239(a).

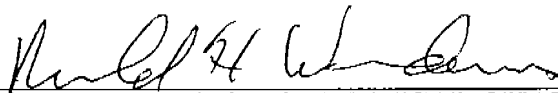
13 ORDER

14 IT IS SO ORDERED that Physician's and Surgeon's Certificate number G-79603,  
15 heretofore issued to Respondent Dennis Jay Tison, M.D., is revoked.

16 Pursuant to Government Code section 11520, subdivision (c), Respondent may  
17 serve a written motion requesting that the Decision be vacated and stating the grounds relied on  
18 within seven (7) days after service of the Decision on Respondent. The agency in its discretion  
19 may vacate the Decision and grant a hearing on a showing of good cause, as defined in the  
20 statute.

21 This Decision shall become effective on March 29, 2004 at 5:00 p.m.

22 It is so ORDERED February 27, 2004

23   
24 \_\_\_\_\_  
25 FOR THE DIVISION OF MEDICAL QUALITY  
26 MEDICAL BOARD OF CALIFORNIA  
27 DEPARTMENT OF CONSUMER AFFAIRS  
28 RONALD H. WENDER, M.D.  
CHAIR, PANEL B

26 Attachment:

27 Exhibit A: Accusation No.02-2001-119417, Related Documents, and Declarations of Service

**EXHIBIT A**



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1 surgeon's medical license has been placed on probation as a result of a disciplinary action,  
2 no Medi-Cal claim for the type of surgical service or invasive procedure giving rise to the  
3 probationary order and performed on or after the effective date of said probationary order  
4 or during the period of probation shall be reimbursed, except upon a prior determination  
5 that compelling circumstances warrant the continuance of reimbursement during the  
6 probationary period for procedures other than those giving rise to the probationary order.

7 4. Respondent is subject to discipline and is guilty of unprofessional conduct  
8 within the meaning of sections 2234(e) and 2236 as more particularly set forth herein below.

9 **FIRST CAUSE FOR DISCIPLINE**  
10 (Conviction of a Crime)

11 5. Respondent is subject to disciplinary action under section 2236 of the  
12 Code in that on or about June 2, 2002 in a case entitled *The People of the State of California v.*  
13 *Dennis Jay Tison* Case No. 01F05294, respondent was found guilty of one count of violating  
14 Penal Code section 192(a), voluntary manslaughter, and one count of violating Penal Code  
15 section 273(a), willful cruelty to a child. On July 10, 2002, respondent was sentenced to 6 years  
16 imprisonment as to the voluntary manslaughter count, and 2 years imprisonment to be served  
17 concurrently for willful cruelty count. The facts and circumstances are as follows:

18 A. On January 12, 2001, 14 month old Isabel Tison, daughter of the  
19 respondent, died at UCD Medical Center at 9:50 p.m. as a result of blunt force craniocerebral  
20 trauma to the head. At the time of her death she weighed 23 pounds and was 31 inches tall.

21 B. At approximately 5:08 p.m. on January 12, 2001, respondent made a call  
22 from a cellular phone to the emergency room at Mercy Folsom Hospital. Respondent spoke to  
23 the ER secretary and told her that he was a doctor for UCD and they (the hospital) should have a  
24 pediatric trauma team ready and to get the helicopter there because his daughter had a head  
25 injury. Respondent was told that Mercy Folsom was not a trauma center and that he should stop  
26 and call 911. This was repeated several times before the line was disconnected. At  
27 approximately 5:15 p.m., respondent called the ER at Mercy Folsom and repeated his demands

1 to the ER secretary. Respondent was again advised to call 911 and that the hospital was not  
2 equipped for trauma.

3 C. At approximately 5:20 p.m. respondent arrived in the ER carrying his  
4 daughter on his shoulder. Respondent told staff that his child jumped out of the window in his  
5 office and fell 20–30 feet onto a deck. Isabel Tison was immediately attended to by emergency  
6 room personnel. She was not conscious and her brain was swollen. It was determined that she  
7 had a major head injury and needed to be taken immediately to UCD Medical Center where there  
8 is a pediatric trauma center. The UCD Med Center Life Flight helicopter was ordered.

9 D. Respondent was upset, angry and yelling at hospital personnel. He told  
10 them that he was a doctor and a lawyer and he would sue them if they didn't summon the  
11 helicopter and a neurosurgeon. Personnel also noticed that respondent smelled of alcohol.  
12 Because of his disruptive behavior and the nature of Isabel's injuries, the Folsom Police  
13 Department was summoned.

14 E. At approximately 5:33 p.m., Folsom Police Officer Challoner arrived at  
15 the emergency room. Officer Challoner smelled alcohol on respondent and at 7:50 p.m.  
16 administered to respondent a Preliminary Alcohol Screening (PAS) test that registered a blood  
17 alcohol level of .075. Officer Challoner determined that based on the rate alcohol dissipates in  
18 the blood, when respondent first arrived in the ER he had a .12 blood alcohol level.

19 F. After Isabel Tison had been airlifted to UCD Medical Center, respondent  
20 told Officer Challoner that he worked in the emergency room and that he was a trauma doctor.  
21 He stated that he used to be a psychologist and the he used to work at Folsom prison and had  
22 interviewed prisoners there. While working at the prison, he had received death threats and he  
23 owned a lot of guns. Respondent told Officer Challoner that earlier that afternoon he was at  
24 home in his office typing on his computer and using the internet. The computer was on desk  
25 facing a window and because "it was beautiful weather" he opened the window. He stated that  
26 he had finished one beer and was drinking another while working on the computer. Respondent  
27 placed his daughter on the desk top to play. While looking at the computer screen, his daughter



1 suddenly stood up and lunged straight at the screen on the window. The screen gave away and  
2 she fell. He said that he knocked over the beer and some spilled on his clothes. He ran  
3 downstairs and found his daughter on the deck in the backyard. She was bleeding and had a  
4 contusion on her head. He knew that the injury was serious. Respondent stated that he did not  
5 call 911 because traffic was bad at that time of day and he knew that he wouldn't be able to get  
6 her to UCD Medical Center in time so he decided to drive her himself to Mercy Folsom.

7           G.       Following his statement respondent was transported by a Sacramento  
8 County Sheriff's Deputy to UCD Medical Center. Upon arrival at UCD Medical Center, it was  
9 determined that Isabel had a severe head injury which required immediate surgery. There was  
10 swelling and blood in the brain. While Isabel Tison was in surgery, Sheriff's Detective Jason  
11 Gay arrived at the hospital and spoke to respondent. Respondent told Detective Gay that he was  
12 a psychiatrist who specializes in treating people with eating disorders. He explained to Detective  
13 Gay how Isabel had fallen out the window. He gave Detective Gay consent to enter and search  
14 his home.

15           H.       Detective Gay went to respondent's home, a 2 story single-family  
16 residence in Orangevale, while respondent was still at the hospital. Detective Gay located an  
17 upstairs room in the southeast corner of the home that appeared to be an office. There was a desk  
18 against a window with a computer monitor on top, consistent with respondent's description of  
19 where he said that his daughter had fallen out of the window. Detective Gay observed that the  
20 computer was not on; it had been shut down. Also on top of the desk near the computer monitor  
21 Detective Gay observed a loaded Smith and Wesson laser sighted five-shot revolver (.357  
22 magnum) with a loaded speeder next to it. In the same room, Detective Gay observed a Heckler  
23 and Kock SP89 9 mm assault weapon, numerous shotguns, and other assault type rifles, and  
24 banana clips. The window was found to be open only 3/4 of an inch. Detective Gay observed no  
25 beer bottles on the floor or on the desktop and there was no evidence of any spilled substances.  
26 Below the window on the wooden deck, he observed a small amount of blood (quarter-sized)  
27 approximately 9' 3" out from the wall of the residence and the window of the bedroom. Inside

1 the residence on the ground floor, Detective Gay observed a window screen resting against 2  
2 chairs at the "breakfast bar" in the dining room. Detective Gay examined the screen visually and  
3 noted there were no defects, dents, tears, or bends in the screen or the frame. Pictures were taken  
4 by the detective.

5 I. On March 13, 2001, respondent was interviewed at the Sacramento  
6 County Sheriff's Department. Respondent stated that on January 12, 2001, he was at home alone  
7 with his daughter Isabel. They went upstairs to take a shower and at that time he was drinking  
8 his second beer. Before they took a shower, he decided to check his mutual funds using the  
9 computer in his office. The beer was in a glass and he took it with him. He placed Isabel on the  
10 desk while he was using the computer. Isabel was playing with items from an old wallet when  
11 she suddenly "dove" forward and hit the window screen falling out. He said that he lurched  
12 forward and tried to grab her but was unable to stop her from falling. He then ran downstairs and  
13 found his daughter on the deck below, face down with the window screen on top of her. She was  
14 bleeding from the nose and her head. He said that he threw the screen inside the house and ran  
15 upstairs with Isabel to get his car keys. Respondent told Detective Gay that he would never  
16 touch alcohol again.

17 J. On April 18, 2001, respondent was again interviewed at the Sheriff's  
18 Department. Respondent recalled that there was a beer bottle sitting on the office desk at the  
19 moment that Isabel fell and that it fell over and spilled beer on his clothing. He denied cleaning  
20 up the spilled beer or picking up the bottle. He now could specifically recall that he slammed the  
21 window shut when he returned for his car keys. He said that in doing so his arm probably hit the  
22 power cord behind the computer. When asked about the results of the PAS test, he denied  
23 drinking more than just a beer and a half. He said that while at Mercy-Folsom he had taken a  
24 shot of Binaca breath freshener just prior to the administration of the PAS test and thought that  
25 might have thrown off the readings. Respondent stated that when he reached his daughter he  
26 immediately picked her up with his left arm only and threw her over his right shoulder. He did  
27 not perform any type of first aid beforehand. With his right hand he picked up the window

1 screen and used it as a shield to fend off his dog who was attempting to jump on him. He now  
2 recalled that he carried the screen into the house and placed it in the kitchen. Respondent stated  
3 that he had not touched alcohol since the incident.

4 K. On July 6, 2001, a felony criminal complaint was filed against respondent  
5 charging him, inter alia, with one count of murder, a violation of Penal Code section 187(a).  
6 Respondent was arrested pursuant to an arrest warrant on July 9, 2001. A blood sample was  
7 drawn. At the time of his arrest his Blood Alcohol level was .09. His blood sample also tested  
8 positive for nordiazepam, a metabolic breakdown product of Valium, a central nervous system  
9 depressant. Respondent was driving a car at the time of his arrest.

10 **SECOND CAUSE FOR DISCIPLINE**  
11 (Unprofessional Conduct, Drug/Alcohol abuse)

12 6. Complainant realleges paragraph 5, above, and incorporates it herein by  
13 reference as if fully set forth at this point

14 7. Respondent is subject to disciplinary action under section 2239(a) in that  
15 he used alcohol and/or drugs to such an extent or in such a manner that he was dangerous to  
16 himself or others in that on January 12, 2001:

17 A. He allowed his infant daughter to play on a desk near a second floor open  
18 window and in the vicinity of a loaded gun that was in place on the desk;

19 B. He inappropriately moved his daughter without stabilization of her head  
20 and neck after the fall, despite identifying himself as a physician with training in trauma  
21 medicine;

22 C. He twice refused or was unable to understand that Folsom Hospital was  
23 not capable of dealing with his daughter's injuries and persisted in bringing her to that hospital.  
24 He failed and refused to call 911 as directed. By not calling 911 treatment was delayed.

25 D. At the emergency room, respondent was angry, yelling and abusive with  
26 hospital personnel. He did not engage in lucid conversation with hospital staff. He was more  
27 interested in threatening the staff than focusing on his daughter. A PAS test registered a blood

1 alcohol level of .075. Respondent admitted to drinking at least one and a half bottles of beer.

2 8. Respondent is further subject to disciplinary action pursuant to section  
3 2239(a) in that when arrested on July 9, 2001, he was driving his car and his blood alcohol level  
4 was .09 and he was concomitantly taking Valium.

5 **THIRD CAUSE FOR DISCIPLINE**  
6 **(Unprofessional Conduct, Dishonesty)**

7 9. Complainant reallages paragraph 5, above, and incorporates it herein by  
8 reference as if fully set forth at this point.

9 10. Respondent is subject to disciplinary action under section 2234(e) in that  
10 he repeatedly misrepresented his qualifications and his work experience as follows:

11 (1). On January 12, 2001, respondent told a detective that he was an  
12 M.D. who specialized in forensic psychiatry.;

13 (2). On January 12, 2001, respondent told two detectives that he did a  
14 medical internship in trauma medicine at San Joaquin General Hospital, French Camp; and that  
15 he trained in psychiatry at UC Davis and was a psychiatrist specializing in eating disorders.

16 (3). On January 12, 2001, respondent told a nurse that he was certified  
17 in Advanced Trauma Life Support.

18 (4). On January 12, 2001, respondent told Detective Challoner that he  
19 was a trauma physician and worked in the emergency room at UC Davis Medical Center. He  
20 also told Detective Challoner that he used to be a psychologist and had worked at Folsom prison.

21 (5). At the time of his daughter's death, respondent advertised on the  
22 internet via a web page where his "Bio" claimed that he had done a residency in psychiatry at  
23 UCSD and that he was "certified" in advanced life support, advanced cardiac life support,  
24 neonatal life support, pediatric advanced life support, and basic life support. Respondent also  
25 claimed that he was an adjunct professor in psychiatry with UCD.

26 11. Respondent graduated from medical school in 1992, and thereafter  
27 completed a one-year internship at San Joaquin Hospital. He did not receive advanced trauma or

neonatal life support training. Respondent did not complete a residency program. He dropped out of a three-year residency program at UCSD after 18 weeks. Respondent is not a licensed psychologist. At the time of his daughter's death, respondent owned and operated Bravo Medical Clinics with 2 locations, one in Sacramento, and one in Citrus Heights. The clinics are weight loss clinics in which overweight persons come to the clinics seeking assistance with weight loss by using drugs. He is not affiliated with UCD as either a professor or a physician. He has no connection with Folsom prison.

13. Respondent is further subject to disciplinary action under 2234(e) in that on or about April 11, 2001, respondent filed a complaint with the Medical Board against the one of the physicians who treated his daughter at Folsom Mercy falsely claiming that this physician was "under the influence and an obvious substance abuser with all of its associated signs and symptoms which prevented him from performing his tasks of attending to Isabel's condition in the Emergency Room at Folsom Mercy Hospital". Said physician was not under the influence and appropriately treated respondent's daughter. At the time respondent filed his complaint, he knew that he was being investigated by the police and possibly the Medical Board for the death of his daughter. The physician who treated respondent's daughter filed a complaint with the Medical Board on or about March 19, 2001, which detailed respondent's behavior on January 12, 2001, and the suspicious nature of Isabel's injuries.

14. Respondent's conduct as set forth in paragraphs 6 and 7, above, in lying about his qualifications and work experience and his filing of a false complaint against the ER physician who treated his daughter constitutes unprofessional conduct in violation of section 2234(e).

## PRAAYER

**WHEREFORE**, the complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Division issue a decision:

1. Revoking or suspending Physician and Surgeon's Certificate Number G 79603, heretofore issued to respondent Dennis Jay Tison M.D.;

2. Revoking, suspending or denying approval of the respondent's authority to supervise physician assistants, pursuant to Code section 3527;

3. Ordering respondent to pay the Division the actual and reasonable costs of the investigation and enforcement of this case and to pay the costs of probation monitoring upon order of the Division; and

4. Taking such other and further action as the Division deems necessary and proper.

DATED: September 12, 2002.

*for* *I Had not*  
 RONALD JOSEPH  
 Executive Director  
 Medical Board of California  
 Department of Consumer Affairs  
 State of California  
 Complainant